

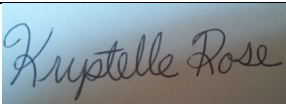
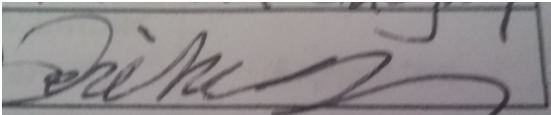
Mountain Sunrise Academy

Charter School Proposal

## Required Information

Charter School Information				
1. Name of proposed charter school: Mountain Sunrise Academy				
2. Name of applicant: Mountain Sunrise Academy Charter Council				
3. Authorized agent: Krystelle Rose				
4. Mailing address: Street, City, State, Zip: 1915 N. 800 W. Orem, UT 84057				
5. Phone number: 801-577-8046			6. Email address: steinerstone@gmail.com	
7. District(s) where proposed charter school is located: Alpine				
8. The governing body of a charter school is responsible for the policy decisions of the school. Please indicate the makeup of this body below. (Add rows as necessary)				
Name	Email	Position on Board (e.g., chair, secretary)	Type of Member (e.g., parent, business)	Profession
Dr. Tim McGaughy	TEMINTL7@netscape.net	President	Grandparent, business	Psychiatrist
Krystelle Rose	steinerstone@gmail.com	Vice-President	Parent, Business	Business Owner; Music Teacher
Emily Morris	emilydodge@gmail.com	Secretary	Parent	Artist
Chris Allen	ccallenconsults@hotmail.com	Treasurer	Business	Business Vice-President; Finance
Dr. Cliff Mayes	Cliff_mayes@byu.edu	Council Member	Business	Professor Educational Psychology
Olesya Richards	olisichka8@gmail.com	Council Member	Parent, Business	Business Owner; Retail
Karri Auffhammer	ryt2krl@outlook.com	Council Member	Business	Special Ed Teacher

9. Year school will start: 2018-19	
10. Grades served: K-8 Does proposed grade configuration match resident district grade configuration? <input type="checkbox"/> X Yes <input type="checkbox"/> No	
11. Requested Enrollment Year 1: Grade K: _40_ , Grades 1-6 _180___, Grades 7-8: _____, Grades 9-12: _____ Total: 220____ Year 2: Grade K: _40___ Grades 1-6: 180____, Grades 7- 8 30___, Grades 9-12: _____ Total: _250_ Year 3: Grade K: 40___, Grades 1-6: 180____, Grades 7-8: _60___ Grades 9-12: _____ Total: _280__	
12. Is this proposal seeking special treatment under UCA <a href="#">53A-1a-501.9</a> ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No X	13. Is this proposal seeking priority consideration under UCA <a href="#">53A-1a-502.5</a> ? <input type="checkbox"/> Yes <input type="checkbox"/> No X
14. A charter school may apply to the State Board of Education for a waiver of any rule that inhibits or hinders the school from accomplishing its mission or educational goals set out in its charter. List any waiver requests here (i.e., Rule numbers and titles).	

Signatures	
WE, THE UNDERSIGNED, do hereby certify that, to the best of our knowledge and belief, the data in this proposal are true and correct. Therefore, this proposal for charter school status and funding is hereby submitted with the full approval and support of the governing body of the proposed charter school.	
Name of Authorized Agent: Krystelle Rose	
Signature of Authorized Agent	
Name of Charter School Board Chair (if different than Authorized Agent): Tim W. McGaughy	
Signature of Charter School Board Chair (if different than Authorized Agent)	

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## EXECUTIVE SUMMARY

Mountain Sunrise Academy (MSA) is a Waldorf-inspired public charter school following the almost 100 year proven track record of successful Waldorf schools located in 91 countries and spanning five continents.

MSA receives inspiration for its curriculum and methodology from Rudolf Steiner's pedagogical indications. Rudolf Steiner founded the first Waldorf school in Stuttgart, Germany in 1919. Although certain subjects may be taught to the students in a Waldorf model at different ages than traditional public school, MSA will use the Waldorf curriculum guidelines and developmental approach to accomplish student achievement outcomes in harmony with Utah Core Standards. Waldorf Education uses a child developmental model and holistic approach of teaching, "head, heart, and hands," which could be characterized as learning in a three-fold manner: intellectually, emotionally, and actively; thinking, feeling, willing.

Through the use of Waldorf methodology, the school will nourish the children's cognitive development and their natural love of learning by incorporating the unique developmental stages each child experiences into the curriculum and instruction. The Waldorf developmental model engages the child in a healthy developmental and psychological way, which leads to children thriving intellectually, emotionally and socially. (Woods, P. Ashley, M., Woods, G., 2005)

Slated to open in August of 2018, MSA will locate in the Lehi/Saratoga Springs area in Fall 2018. Given the unique aspects of the curriculum and initial feedback from Utah residents interested in Waldorf Education we expect to draw others from a larger perimeter than a typical five mile radius from it's physical location. The school's location will likely draw students from Salt Lake County including Draper, Herriman, Riverton, etc. as well as the area of North Utah County including Lehi, Saratoga Springs, Eagle Mountain, American Fork, Highland, Alpine, Pleasant Grove, Lindon, etc.

MSA will be the first Waldorf Charter School in North Utah County. It will follow the time tested best practiced of other Waldorf Schools both public and private and be a member of The Alliance for Public Waldorf Education (APWE) with the expectation that in time MSA will proceed on a path for full accreditation from APWE.

MSA will serve grades K-8 and enroll up to 280 students. It will offer a morning and afternoon kindergarten with a maximum class size of 20 in each class. In grades 1-8 it will offer a single track with a maximum of 30 students in each class. MSA will serve students of all academic abilities, ethnicities and economic levels.

## **Waldorf Education Core Values**

- Rhythm, reverence and responsibility
- Using natural materials
- Appreciation and respect for Nature
- “Screen time” is discouraged for young children
- Respect for the unfolding developmental stages of childhood
- Morality can best be taught by children learning from adults who are actively engaged in inner-development
- Learning sustainable environmental practices such as biodynamic gardening and permaculture
- Participating in animal husbandry
- Service-based activities that aid the environment and community
- High involvement and activity with families and community
- Celebration of Festivals
- Co-operation valued over competition
- Children’s intellectual, emotional, physical and social life are nurtured
- Subjects taught are arts-integrated and interdisciplinary
- Emphasis on creative and critical thinking
- Story-telling
- Importance of Movement
- Teacher looping - This establishes long term relationships which aid the development of the child.
- Every child develops at their own pace
- Learning is accessed thru multiple learning modalities
- The teacher teaches the child rather than the subject

## **Mountain Sunrise Academy Mission Statement**

Mountain Sunrise Academy, with true human care, empowers children to impart purpose and direction to their lives and truly know themselves thru developing capacities of thinking, feeling and willing. MSA is a public charter school utilizing a Waldorf pedagogical approach and upholding the virtues of goodness, beauty, truth, imagination, responsibility, reverence, and charity as well as respect for self, others, and the environment.

## **Mountain Sunrise Academy Vision Statement**

MSA focuses on the development of the whole human being in order *to inspire the spirit and imagination of the child and elicit academic excellence through educational artistry*. To aid this vision, we strive to provide a beautiful, collaborative campus and biodynamic garden that radiates learning through work and play, positivity, and co-operation.

## **MARKET ANALYSIS**

### **A. MARKET CONTEXT**

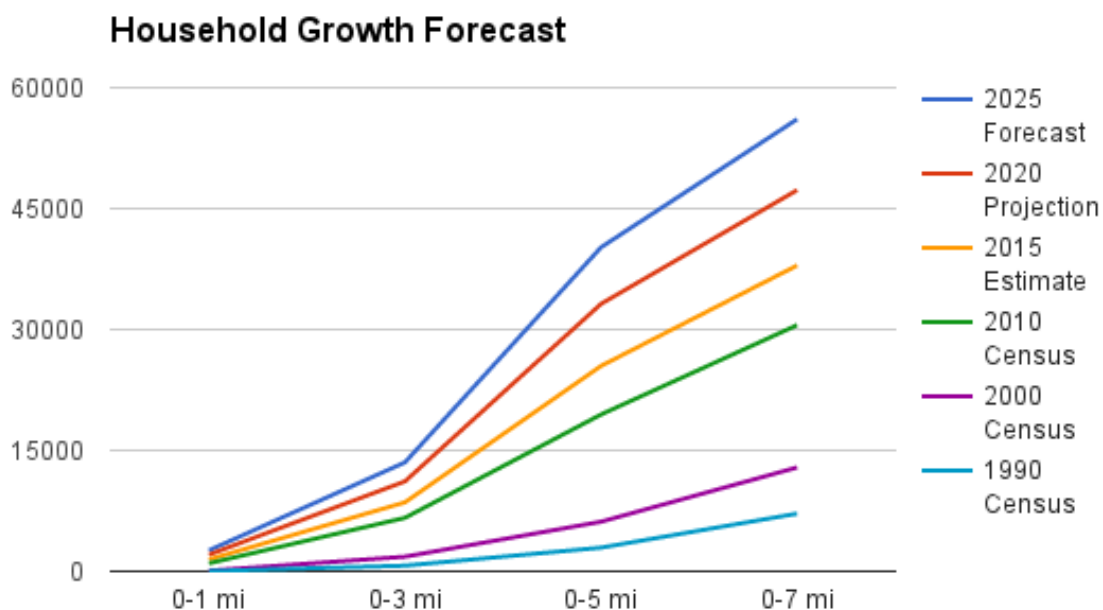
Mountain Sunrise Academy (MSA) will be located in the city of Saratoga Springs or Lehi in North Utah County. In making this selection, MSA considered several possible sites in Utah County for the school, including Eagle Mountain, Saratoga Springs, Lehi and American Fork. After studying these locations, MSA determined that the Saratoga Springs and Lehi area is the perfect location for a new charter school. Based in this area, MSA will attract students from the Eagle Mountain and Saratoga Springs area, where population is rapidly expanding, and also Lehi and North Utah County where families are interested in Waldorf education and willing to travel. This market analysis incorporated a seven-mile radius from the east side of Saratoga Springs, 212 Crossroads Blvd, Saratoga Springs, UT 84045.

Total number of Public Schools	Total number of Students enrolled	Elementary Schools	Elementary Students enrolled	Middle Schools	High Schools
35	34,366	24	20439	5	5
Total number of Charter Schools	Total number of Students enrolled	Elementary Charter	Elementary Students enrolled		High Charter Schools
5	2845 (or 8% of students)	3	2033		2

***Demographic Description of Potential Students:*** ages 5-13 or grades K-8  
***School Districts:*** Alpine school district

## B. MARKET TRENDS

There are multiple trends associated with the demographics in this area that support the opening of Mountain Sunrise Academy.

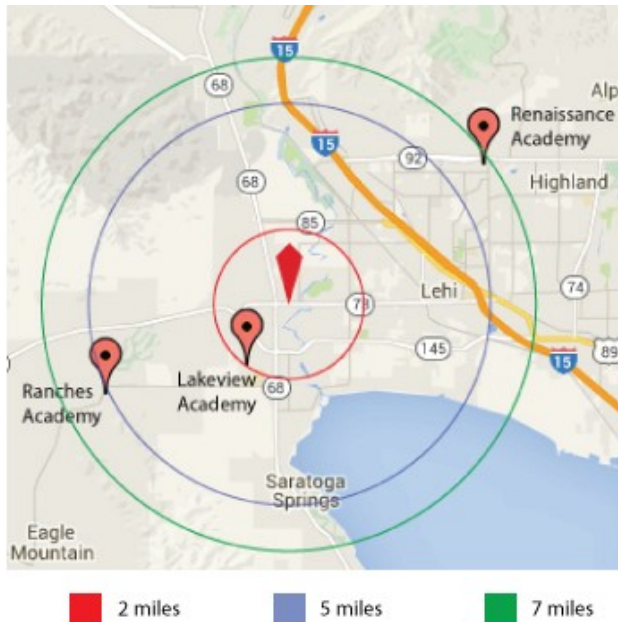


### Growing population of households in the area

According to the Census's American Community Survey, Saratoga Springs ranked #1 of fastest growing cities in Utah, with an estimated growth rate of 43.31%. Eagle Mountain ranked #3 with 31.16% and Lehi #4 with 23.63%. By looking at the demographic forecast, the expected population growth within the seven-miles radius of the targeted area is around 30% for the next 4 years, and will double in the next 10 years. Alpine district in this area anticipates the addition of **6741 students** from 2016 to 2020—enough to enroll seven or eight more elementary schools.

### **Limited Charter Availability, Despite Significant Interest**

There are 3 elementary charter schools located within a seven-mile radius of this location: Lakeview Academy, Ranches Academy, and Renaissance Academy.



**Lakeview Academy** is an elementary school and serves grades K - 9. It is over two miles from this location and for the 2016-2017 school year is fully enrolled **with a waiting list of 538 students**, or one-half of its current enrollment of 967.

**Ranches Academy** is an elementary school and serves grades K - 6. It is over five miles from this location and for the 2016-2017 school year is fully enrolled **with a waiting list of 450 students**, which is more than current enrollment of 365.

**Renaissance Academy** is an elementary school and serves grades K - 9. It is over seven miles from this location and for the

2016-2017 school year is fully enrolled with total of 711 students. Waiting list information was not disclosed.

### **Trend towards School Choice**

The charter school data demonstrates there is an interest within the community in alternative educational venues. The data shows the demand and trend in this area.

### **New Waldorf inspired schools success**

Wasatch Charter School is a Waldorf-inspired school located in Salt Lake County that serves grades K - 8. For the 2016-2017 school year, it is fully enrolled with total of 540 students with 422 students on the waiting list. There is a known number of parents that are willing to drive 30 minutes or more to attend the school. According to the school data, 48 enrolled students are from Utah County. The Wasatch Waldorf Charter School facebook page has over 800 likes, which shows a great interest in the school.

### **Community support**

The Utah Waldorf facebook group consists of nearly 400 members. In May 2016 in just 45 days 103 signatures and letters from parents were collected that showed support for a new Waldorf school in Utah County. This year the Waldorf community is holding it's 5th annual Utah Waldorf Conference in North Utah County.

## METHOD OF INSTRUCTION

### The Essence of Waldorf Education

The aphorism, “Know Thyself,” dates back to ancient Greek times. Yet it is as relevant today as it was in earlier times. This adage invites one onto the path of introspection that leads to discovering what lies within. “True” education, then, is *self-education*. William Yeats stated, “Education is not the filling of the pail, but the lighting of a fire.” Education’s task is to help us know who we are so we are able to light the fire from within and make our unique contribution to society and the world. At its best, education draws out what is living within each person and enlivens interest in one’s self, others and the world around us. As children learn about themselves they discover their interests, talents and life-path pursuits and ideally are able to use those skills to benefit others and the world around them.

Waldorf Education aspires to nurture and protect this unfolding nature of *becoming* in children while guiding and developing capacities that will enable them to fulfill their own unique purposes in life. Steiner, the founder of Waldorf education stated, “Receive the children in reverence, educate them in love and send them forth in freedom.”

Waldorf Education teaches the whole child through the integration of thinking, feeling and willing activities; teaching head, heart and hands. For example, the four math processes are introduced in first grade. The child will engage in “mental math” (thinking) and participate in rhythmical activities (feeling), and will draw and act out these processes (willing) to thoroughly learn these processes.

MSA recognizes that children are moral beings. It is important to pay attention not only to children’s academic learning but also to the development of their feelings, character, temperament, social growth and sense of well-being. Waldorf Education teaches morals and character development thru storytelling albeit without moralizing the story. We trust a child’s inner guidance to “live in the question” rather than telling all the answers or meanings and moralize the story. The stories told meet the child at an appropriate developmental and psychological time. For example, the children in 1<sup>st</sup> grade are told fairy tales. Children in the upper grades are told stories about revolutions when they are going through their own questioning and personal “revolutions.” We also support character and virtues development and encourage teachers to be examples of high moral character. Waldorf students have been found to be more interested in and engaged with social and moral questions and to have more positive attitudes than students from mainstream schools. (Gidley, 2010)

Children are naturally artistically inclined and anticipate creative activities. Using the

Waldorf Curriculum we will cultivate and nurture this artistic nature through invigorating children's imagination, creativity and curiosity.

We recognize the value of movement and include it in everyday activities. Working, playing and exploring the natural world are important for children's growth and are applied in Waldorf schools through nature walks, gardening, field trips and other outdoor activities.

Dr. Clifford Mayes, an Educational Psychologist and member of our Charter council stated in his book, *Seven Curricular Landscapes: An Approach to the Holistic Curriculum*, "Waldorf students learn in sequences and paces that are developmentally appropriate, aesthetically stimulating, emotionally supportive and ecologically sensitive." (2003)

### **Waldorf Curriculum Overview**

The core Waldorf curriculum includes language arts, math, mythology, history, geography, geology, algebra, geometry, mineralogy, biology, astronomy, physics, chemistry and nutrition.

Other topics are taught to the children that include practical and fine arts as well as a second language. These activities enhance and broaden the scope and breadth of understanding in the core curriculum classes.

Each school day begins with the teacher greeting each child with a handshake. The teacher is able to observe the student's demeanor and state of being through this daily activity as well as authentically connecting with each person.

The class typically begins with movement, singing, and speech exercises such as poetry recitation. The younger grades call this "Circle Time" or "Movement Journeys." The class then reviews the lesson material and moves into a time known as "Main Lesson" in which new cognitive material is studied in a block format usually lasting 3-4 weeks before a new block is introduced.

These "Main Lesson" times usually lasts 1 ½ to 2 hours. New material is often presented thru the use of storytelling. Afterward, children create their own "Main Lesson Books" which include artistic renderings and writing. The teacher first teaches this thru modeling. As the children grow older and gain competencies they are able to add their own artistic ideas and writings in these books. In their "main lesson books" children write and draw from the story or theme that had been previously taught the day before. The teacher guides this activity the day after the lesson so that the child first has had time to "sleep on the lesson" before deepening its concepts. These "main lesson books" are highly valued by children and parents alike. Rather than using a "textbook" to learn, the children have created their own unique book of writing and art that demonstrates



what they have personally taken in and integrated. Some prominent figures that also created books in a similar manner include Leonardo Da Vinci and John Muir.

Besides “Main Lesson” time, children engage in various developmentally appropriate activities. The practical arts include sewing, knitting, crocheting, embroidering, felting, gardening, animal husbandry, cooking, woodworking, bookbinding, basketry, pottery, metalwork, stained glass, etc. The fine arts include drama, singing, playing musical instruments, beeswax modeling, clay work, painting, drawing, etc. Form Drawing and Eurythmy, a form of movement, are unique subjects taught in Waldorf Schools. It is a common occurrence that each class will put on a play highlighting one of the block studies they learned about during the year. All of these activities are highly valued and integrated throughout the various subjects throughout the day creating a multidisciplinary approach that deepens children’s understanding of the core curricula.

Science is learned through a phenomenological approach involving inquiry and observation. Program for International Student Assessment (PISA) studies have shown Waldorf students to be better motivated to study science and achieving scientific understanding significantly better than that attained by comparable state school students. (Woods, P. Ashley, M., Woods, G., 2005)

Children learn to play musical instruments starting with the pentatonic flute in 1<sup>st</sup> grade. String instruments begin in 4<sup>th</sup> grade and children in later grades have an option of also playing a band instrument.

Using Waldorf Curriculum and incorporating Utah Core Standards, MSA will implement an experiential, arts-integrated approach that engages students at an appropriate developmental level while engaging their “thinking, feeling, and willing.” This arts rich and interdisciplinary way of teaching subjects is a compelling educational model that enhances student achievement, creates a sense of well-being for the child, and promotes a deeper, experiential and long-term understanding of subject material.

Eric Oddleifson, in an address to public school principals in Boston quoted Ernest Boyer who was the former president of the Carnegie Foundation for the Advancement of Teaching, "One of the strengths of the Waldorf curriculum is its emphasis on the arts and the rich use of the spoken word through poetry and storytelling. The way the lessons integrate traditional subject matter is, to my knowledge, unparalleled. Those in the public school reform movement have some important things to learn from what Waldorf educators have been doing for many years. It is an enormously impressive effort toward quality education." (1995)

### **Waldorf Education Success**

Waldorf Education is the fastest growing educational movement in the world. While in 2010, there were twelve Waldorf-inspired public schools in the United States” (Pappano,



2011) In 2015 there were forty-two such schools. (“Alliance for Public Waldorf Education,” 2015)

Johnson, a writer for the *New Yorker*, wrote about Waldorf Education in China. “There is a five-year waiting list, and there are plans for the school to quadruple in size, with the addition of a high school and a new campus for a thousand students. Less than a decade ago, there were no Waldorf institutions in China; now there are two hundred kindergartens and more than thirty elementary schools. In a country that is still searching for its national identity, the movement is quickly becoming one of the most influential countercultures. (2014)

A recent Stanford study confirms the positive results achieved from Waldorf schooling. “Quantitative analysis of student record data compared to similar students in other district schools reveals that Birney students have low transiency and suspension rates and positive student achievement outcomes on standardized state assessments.” (Beckham, Friedlaender, Darling-Hammond, Zheng, 2015)

Waldorf students are known for being well versed in many subjects and academically astute. Oddleifson, Chairman of CABC, stated in an address to Boston Public Council of Elementary Principals Meeting, “In Germany students entering university are allowed to skip their freshman year, if their entrance exam scores are sufficiently high. Forty percent of over 1,000 Waldorf school students interviewed were found to have qualified, compared to a national average of only six percent. Leading educators have a high regard for Waldorf education.” (1995)

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## APPENDIX A: BACKGROUND INFORMATION SHEETS

## Appendix A

### BACKGROUND INFORMATION SHEET

Name: Tim W. McGaughy

Role with school: Charter Council President

Expertise: Psychiatry, Medical Director, Teacher

Board Certified Psychiatrist with 27 years of post-graduate experience working in the mental health field in a wide variety of situations, both clinical as well as administrative. I am currently Medical Director for Wasatch Mental Health in Provo, UT. Prior to medicine I obtained a Ph.D. in Chemistry and worked in that field for several years before entering first a Naturopathic Medical School and subsequently an Allopathic Medical School. I have also taught at the high school level as well as the college level.

#### **Statement of Intent:**

When our children were quite young my wife and I began exploring various educational systems. The system of education begun by Rudolf Steiner many years ago attracted our attention to such an extent that we moved 1600 miles to have our children attend a Waldorf school in western Massachusetts. That was probably the most important move of our lives. Our children thrived in the Great Barrington Rudolf Steiner School and it has had a very positive effect on their lives long after leaving the school. The method of learning employs a very natural and balanced approach to education and integrates left and right brain functioning through art, music, languages, hand crafts, dance as well as science, math, history, etc. Children in the school loved coming to school each day, behavior problems were minimal and our own children have a love for learning that has lasted to this day. We were involved in the beginning phase of the Wasatch Charter School in Salt Lake and we are now very excited to help start another charter school in Utah County with a Waldorf influence. Mountain Sunrise Academy will have a positive influence ultimately on the lives of thousands of children and their families, and I cannot think of a worthier project.

#### **Not-for-Profit History:**

Several of the organizations I have worked for over the years have been private nonprofit organizations with an emphasis on mental health. This has included

administrative roles writing policy as well as the more clinical aspects. It has also included serving as an Associate Board Member for a nonprofit psychiatric facility. As mentioned above I was involved with the Wasatch Charter School and that included writing part of their charter. I look very forward to working with other members of the Charter Council to help establish Mountain Sunrise Academy.

**Employment History:** After college I taught high school chemistry for a year prior to entering graduate school in Chemistry. During my Ph.D. experience part of that time included teaching college level Math and Chemistry. After graduating I had a postdoctoral position in chemical research for several years. I then went into a Naturopathic Medical School where I also taught Biochemistry part of that time before leaving there and entering an Allopathic Medical School. Following medical school and a residency in psychiatry my employment has been a combination of work in community mental health, psychiatric hospitals and residential centers. As noted above, this has included not only the clinical aspects of medicine, but also administrative roles such as helping to write policy and supervise other physicians and prescribers. The majority of my work has been with organizations which were private nonprofit. Education has been a large part of my life and as such I am very excited to help create a school which will help start that process at the youngest age.

**Education History:**

High School: Baltimore, Ohio 1964

College: College of William & Mary, Williamsburg, VA 1968

Ph.D.: Tufts University, Medford, MA 1974

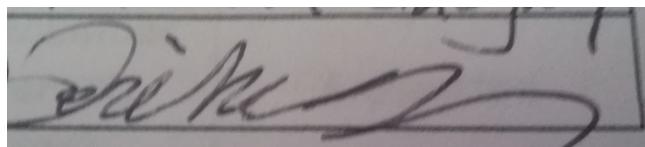
Pacific College of Naturopathic Medicine, Monte Rio, CA 1979-80 (Left prior to graduation)

M.D.: University of Oklahoma Medical School, Oklahoma City, OK 1985

Psychiatric Residency: Griffin Memorial Hospital, Norman, OK 1989

WITH THE SIGNATURE BELOW, PERMISSION IS HEREBY GRANTED  
TO VERIFY ANY INFORMATION PROVIDED ABOVE FOR MOUNTAIN  
SUNRISE ACADEMY CHARTER SCHOOL.

I AFFIRM THAT THE INFORMATION PRESENTED HEREIN IS TRUE AND  
CORRECT TO THE BEST OF MY KNOWLEDGE.



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**Applicant's Signature**

## Appendix A

### BACKGROUND INFORMATION SHEET

Name: Krystelle Rose

Role with school: Charter Council Vice-President

Expertise: Waldorf Education, Business, Music

Krystelle is currently pursuing a M.Ed. in Waldorf Education & earning her Waldorf Teaching certificate with an anticipated degree in August 2016. She is also currently pursuing an MBA. Other areas of expertise include playing piano, composing music, and singing. She sings with Millennial Choirs, which performs biannually at Abravanel Hall, and also sang the national anthem for the Provo Angels, a minor-league baseball team. She is a past member of Provo/Orem Chamber of Commerce, Women's Division. Krystelle has much experience working with people from a variety of settings as well as other cultures as she has travelled to most of the states in the U.S. and travelled to or lived in 15 foreign countries.

**Statement of Intent:** Krystelle is committed to serving on the Mountain Sunrise Academy Charter Council to bring a Waldorf Charter School to the children and community in North Utah County. She is a parent of children who will be attending the school. Waldorf Education is a passion of hers as it speaks to her values of providing an education that is developmentally driven, holistic, and derived from wise and purposeful principles. She has seen Waldorf Education in action and experienced how children can't wait to attend school every day as they have kept their genuine love of learning. She has seen teachers that gave up teaching in mainstream schools due to "teacher burn-out" become enlivened and interested in the curriculum and children as well as acquire interest in self-development when becoming "Waldorf" teachers. Lastly, she has observed community and social renewal in places where there are Waldorf Schools. Waldorf Education has a proven track record of almost 100 years and is the fastest growing educational movement in the world. It has a presence in 91 countries and 5 continents! As an educator and parent, this form of education is what she desires to make available to all children in all countries, and specifically to the area where she has lived for most of her life. This educational modality inspired her to return to school after almost 20 years to acquire a Masters degree in Waldorf Education.

Krystelle is dedicated to furthering the work that Rudolf Steiner, the founder of Waldorf Education, brought forward to the world. This form of education is high in quality, is arts-integrated, and is given out of true human care. Recent studies by Stanford University

have demonstrated the important successes and results from those involved in Waldorf Education. Krystelle desires to be involved in advancing this high quality of education in North Utah County as detailed in the MSA Charter. She brings her personal and professional experience in education, her background in business, and most importantly her love of children and Waldorf Education.

**Not-for-Profit History:** Krystelle worked for United States Energy Association, (USEA) a non-profit organization in Washington D.C that has functions domestically and internationally. USEA is an association of public and private energy-related organizations, corporations, and government agencies and is the U.S. Member Committee of the World Energy Council (WEC). During her employment, Krystelle helped plan and assist at a World Energy Conference held in Houston, TX with many thousands of worldwide participants. She personally escorted, Yuri Scherbek, the ambassador of Ukraine, to the conference and aided other participants to conference events including a public speech by President George Bush. Other job duties included setting up job training exchanges primarily with Eastern block countries. Krystelle was also a volunteer EMT for Fairfax County in VA.

**Employment History:** Krystelle has over 12 years experience in Waldorf Education. She has homeschooled her own children with this method. She was a teacher at Abella Cottage School, a part-time school for homeschoolers in Utah County, and taught for 5 years grades pre-k-3<sup>rd</sup> grade. In 2015 she completed a 3 week practicum teaching 3<sup>rd</sup> and 5<sup>th</sup> grade at a public Waldorf Charter School in Arizona. Interested in how Waldorf Schools look and operate, she visited a total of 10 Waldorf Schools in Arizona, California, and Colorado. She founded Utah Waldorf in 2011 and is the key administrator for the Utah Waldorf Facebook page, which currently has around 400 members. She has done much community work with Waldorf Education as she has directed Waldorf festivals, fieldtrips, workshops, fund-raisers, and conferences. She is currently directing the 5<sup>th</sup> annual Utah Waldorf Conference for 2016. Krystelle presented on the topic of Waldorf Education at the 2014 Winter Homeschool Conference. She also has Waldorf Charter start-up experience. In Oct. 2013 she initiated the first Utah Waldorf Charter School in Utah (Salt Lake) and served for 1½ years as one of three directors before stepping down to aid and help found another Waldorf Charter, Ivy Preparatory Academy. She is well-versed in Waldorf philosophy and curriculum development. She is a published writer in which she wrote an article about Waldorf Education. The article will be distributed this month to thousands of homeschoolers in 15 states.

Krystelle currently runs her own music studio business and has been in operation for six years. Experience in operations and a background in financial management were learned when she worked at the corporate offices of Bank of America in San Francisco, CA. As an employee in the Operations department, she compiled reports and conducted data analysis on all Bank of America banks in Northern California. Bank managers reported bank and vault information directly to her after which she compiled



reports and conducted data analysis. She also designed an internal website for her team. During her time there she took part in a company wide optional service opportunity in which she volunteered and taught at an elementary school in San Francisco. During her time there she also completed the Toastmaster's International Competent Communicator Program.

Krystelle worked at Novell in two different administrative positions. The first was as an administrative assistant for the Information Technology department. The second was an administrative assistant position for Human Resources. She earned her A+ certification. Krystelle also worked as an administrative assistant at Miller Wade Company, a benefits company. While there she obtained her licenses in Health, Life, and Disability as well as Property & Casualty.

Other employment experiences include working at Washburn Motors in the Sales Department, Guest Relations in the Corporate Office for Holliday Inn, Lakecrest Care Center, a group home for people with disabilities, and as a youth counselor for Heritage Halls at BYU.

### **Education History:**

Anticipated MBA, Western Governors University; 2017

Anticipated M.Ed. in Waldorf Education and Waldorf Teaching Certificate, Rudolf Steiner College; August 2016

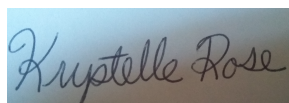
Bachelor of Science in Sociology, Brigham Young University; 1996

BYU-Hawaii-1994

BYU-Jerusalem Center Study Abroad-1992

WITH THE SIGNATURE BELOW, PERMISSION IS HEREBY GRANTED TO  
VERIFY ANY INFORMATION PROVIDED ABOVE FOR MOUNTAIN  
SUNRISE ACADEMY CHARTER SCHOOL.

I AFFIRM THAT THE INFORMATION PRESENTED HEREIN IS TRUE AND  
CORRECT TO THE BEST OF MY KNOWLEDGE.



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**Applicant's Signature**

## Appendix A

### BACKGROUND INFORMATION SHEET

Name: Emily Morris

Role with school: Charter Council Secretary

Expertise: \_\_\_\_\_

I am a Mother of 3 children, I am versed in Waldorf philosophy and curriculum development, I have experience working with children in summer camp situations and swim lessons, and in my own family. I have a BA in Art History. I know that art affects our culture and we need to be giving our children every opportunity they can to explore with their hearts, hands and head.

#### **Statement of Intent:**

I am acting as the secretary for the Mountain Sunrise Academy Charter Council. I will be taking notes and minutes of our council meetings and creating agendas for council meetings. I am good at details and organization. This is a great position for me to learn more about how a charter school begins and the professional business side of education.

I am committed to serving on the Mountain Sunrise Academy Charter Council in order to help create a school that will serve my own and the community's children in innovative ways by offering a Waldorf education in a charter school setting. I am dedicated to the Rudolf Steiner ideal of individualized, experiential, and student-centered education and to the principle of choice in education. This education incorporates the whole child through art, science, and nature. As a parent, I am excited to be involved in advancing the quality of education in the state of Utah as detailed in the MSA Charter.

#### **Not-for-Profit History:**

I had the opportunity to work at a non-profit tissue bank in a quality control and customer service position. I would check our inventory and outgoing orders and also communicate with our clients to make sure they were happy with the product. I have an eye for order and organization. This will serve me well as secretary and as we plan other parts of the school such as the library or administrative office.

**Employment History:**

My employment history includes many different types of jobs that overall have all focused on customers. I was a bank teller for Zions Bank, which gives me a small background in finances and dealing with people and their money. I have taught swim lessons to children and adults. I have worked as a professional snowboard instructor. In many of those situations I had to be calm and supportive with people who were nervous to try something that was scary. I also had to be familiar with the different ways people learn. Waldorf education focuses on the many different ways children learn and recognizes that there is not one correct way for them to learn. Just as I had to adapt my lessons on the snow and in the water for the individual, I can help introduce people to Waldorf education and help children feel comfortable at the school. I have spent much of my adult life as the mother of three children. I am totally invested in their well being and know a Waldorf education will serve them well. I manage our home and finances and keep the home a safe place for my children. This is by far the best job I have had.

**Education History:**

Brigham Young University; B.A. Art History. 1998- 2003

Art History is not just about how to paint, draw and sculpt; it is about what the creator is trying to express to the world about their time and culture. Art History is about researching and drawing conclusions and then expressing those conclusions in a persuasive manner. I can draw on these skills to help the council make good decisions for the charter and for the parents looking to send their children to a Waldorf Charter School.

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A handwritten signature in blue ink, reading "Emily Morris", is written over a horizontal line.

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**Applicant's Signature**

## Appendix A

### BACKGROUND INFORMATION SHEET

Name: Christon C. Allen

Role with school: Charter Council Treasurer

Expertise: Establishing Waldorf based schools, Waldorf School Board Experience, Finance

#### Statement of Intent:

I will serve as Treasurer for Mountain Sunrise Academy. I have been involved with Waldorf education for close to 25 years. This involvement began with the founding of Arizona Council for Waldorf Education which is an organization that fosters the development of Waldorf inspired schools in Arizona. We currently have seven operating schools in Arizona. One of these, Desert Marigold School (DMS) is a K-12 charter school which will celebrate its twenty-first birthday this coming year. I have served as a board member for DMS which is located in the Phoenix, Arizona area where I maintain a residence. Both my wife and daughter are experienced Waldorf teachers whom I have encouraged for a number of years.

I have maintained a business office in Utah in the past and for the last several years have been involved in meetings and presentations involving Waldorf education, primarily in Utah County where I have presented "Why Waldorf Works" as a well attended lecture. I have also assisted with education conferences where I have made introductions for Waldorf/charter school professionals from other geographical areas.

It has been a dream of mine for many years to see Waldorf education, particularly

the charter school version, made available to our children. I believe very strongly in the curriculum and principles represented by Waldorf. I believe the MSA group to have the abilities and motivation and resources to make Waldorf work in Utah.

### **Not-for-Profit History:**

I have made a special study of non-profit funding programs for K-12 schools. I have consulted Arizona based Waldorf charter schools on an individual school basis and for many years as a founder and member of ACWE (Arizona Council for Waldorf Education), which has assisted with the development of currently, seven schools. ACWE has been in existence for almost 25 years and we have two schools which were established 20 years ago. One of these, on which I have served as a school board member, is a K-12 Waldorf inspired charter school. I have also spent many years working with my religious organization and also the Boy Scouts of America in a variety of positions.

### **Employment History:**

I am currently employed as Vice President of Gains Corporation, which is the managing member of Gains Venture Group, LLC. We have funded a number of companies seeking to become publicly traded. The principals of this group have been involved together for many years in non-profit activities, specifically for members of the Hilton (hotel) family, one of which is my associate in Gains. Two of the other Gains associates were Phoenix, "Philanthropist" of the year. I have owned and operated a consulting firm, C.C. Allen and Associates, an Arizona proprietorship, for 25 years. We have helped scores of companies in becoming publicly traded and also in developing capitalization programs. I have a cum laude Bachelor of Science Business degree from Arizona State University, and also wrote a syndicated column "Franchise Facts" which appeared in small newspapers for a number of years.

### **Education History:**

I attended schools; elementary through College in Arizona. I began my college training in 1969 at Mesa Community College where I completed two years before entering the U.S. Navy in early 1972. During my years in the service, I had special training in Oceanography and associated subjects and was able to work on the implementation of the Magnetic Anomaly Detection System initially developed by Gulf Oil. This was part of my work as an anti-submarine warfare operator. I was a helicopter crewman (duties including search and rescue) and was in charge of Aircrew Training for enlisted service men until my honorable discharge in 1975.

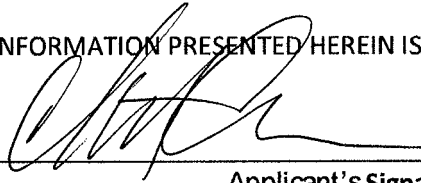
I re-entered college in 1976 subsequently attending Arizona State University where I received a Bachelor of Science in Business Administration (cum laude and on the Dean's list six times). I spent two years in graduate school in English literature, also at A.S.U.

I was a professional lecturer for Discovery Resources, a New York based seminar company for three years, during which my 90 minute seminar was presented in New York, other U.S. cities, and also in Cancun, and Puerto Vallarta, Mexico.

I also served as a L.D.S. Institute teacher in Gilbert, Arizona.

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A handwritten signature in black ink, appearing to be 'C. H. R.', written over a horizontal line.

Applicant's Signature

## Appendix A

### BACKGROUND INFORMATION SHEET

Name: Dr. Clifford Mayes

Role with school: Charter Council Member

Expertise: Educational Psychology, Holistic Education Theory, Multicultural Studies, Archetypal Pedagogy

#### Statement of Intent:

I am a professor of educational psychology and multicultural studies at Brigham Young University. I received full professor and tenured status in 2003. My area of expertise lies in depth-psychological models of education and holistic educational theory. I have written 10 books and over 35 refereed articles in peer-reviewed journals on these topics. I was recently invited to Oxford University in the U.K. to deliver an address on my work.

The second edition of my fifth book, *Understanding the Whole Student: Holistic Multicultural Education*, appeared at the beginning of 2016, is used in colleges of education across the United States, and is considered Rowman and Littlefield Education Press' front-line book in the theory and practice of multicultural education. It is the first book to take a holistic approach to multicultural education. My second book, *Seven Curricular Landscapes: A Holistic Approach to the Curriculum*, is one of only a handful of books by major educational presses in holistic approaches to curriculum theory. I am told that I am also the founder of a theory of pedagogy called "Archetypal Pedagogy," in which various books, articles, and several dissertations have been written since my initial (and ongoing) work in the field.

Since Waldorf Schools are the culmination of holistic theory and practice, I therefore feel qualified to judge of Mountain Sunrise Academy's (MSA's) fidelity to the Waldorf vision and its promise to carry out the high mission of holistic education in times when the whole child is being ignored, indeed endangered, in favor of one-dimensional standards of assessment. I say without reservation that MSA is a shining example of what holistic education can be, and I endorse it whole-heartedly.

## **Employment History:**

My involvement in education has been varied and extensive over the last 35 years and affords me a broad lens through which to look at MSA.

After receiving a master's degree in English Literature (University of Oregon, 1979) and another one in English as a Second Language (ESL) (University of Arizona, 1982), I was hired by the United States Information Agency to teach English Literature at the University of Panama as an assistant professor. After that assignment, I spent seven years in Japan, setting up British and American Studies programs at two universities in Nagoya, Japan. The program I created was so successful that it became the subject of a report of Japan's premiere television station that was made by the Sony Corporation and the Ministry of Education. I returned to the United States in 1992 and shortly thereafter began doctoral studies in education, focusing on the history of U.S. educational policy—the topic of my dissertation.

Immediately after I received the Ph.D. from the University of Utah (1996), I began working in the BYU School of Education, where I have been for the last 20 years. I did a second doctorate at the Southern California University for Professional Studies in Clinical Psychology (Psy.D., 2000), although my dissertation there was on a topic in educational psychology. Thus from the micro-level of the student's psyche to the macro-level of 200 years of U.S. educational history, I am able to approach educational issues and institutions with a trained eye. Looking at the MSA, I can only applaud it and encourage others to experience the depth and power of its vision in producing humane, critically-thinking, and highly effective and efficient citizens of the 21<sup>st</sup> century.

## **Education History:**

Psy.D Southern California University for Professional Studies in Clinical Psychology (2000)

Ph.D. Education from the University of Utah (1996)

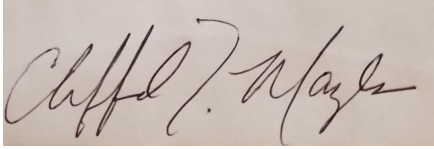
Master's Degree in English Literature (University of Oregon, 1979)

Master's Degree in English as a Second Language (ESL) (University of Arizona, 1982)

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I AFFIRM THAT THE INFORMATION PRESENTED HEREIN IS TRUE AND  
CORRECT TO THE BEST OF MY KNOWLEDGE.

A handwritten signature in black ink on a light brown background. The signature is cursive and appears to read "Cliff J. May Jr.".

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**Applicant's Signature**

## Appendix A

### BACKGROUND INFORMATION SHEET

Name: Karri Auffhammer

Role with school: Charter Council Member

Expertise: Anthroposophy, Prior Waldorf School Board Experience, Work Advisor to people with disabilities, 15 years' experience in Manufacturing/Systems/Technical background.

**Statement of Intent:** My role on the Charter Council is to assist the Council in creating a solid foundation and organizational structure that will allow Mountain Sunrise Academy to be successful in meeting its goals as set forth in its Mission and Vision of the future. I bring to the Charter Council prior experience as a board member. I also bring experience with board development in the startup of another Waldorf School.

#### **Not-for-Profit History:**

I have 2 years on the board of Oakland Steiner school. My experience there provided me with the opportunity to work with and resolve issues that arose between the board, the teachers, and the parents. I wrote several letters of communication that helped to clarify organizational relationships between the school, its community and the board. My work in a previous startup Waldorf School involved establishing the board and guiding the organizational development as well as secretarial duties.

#### **Employment History:**

I was in the USN for 5 years and achieved the rank of E5. I bring a Manufacturing/Technical background with 15 years' experience in construction and integration of laser systems and workstations, of trouble shooting/problem solving and writing/implementing process control documents. I have training in SOARS and have worked the last 10 years providing personal support and teaching work skills to persons with disabilities. This is an experience not unlike working with young children and their development.

**Education History:**

I have 2 years' study in electronics and Sonar systems 1968-1973. I went to Rudolf Steiner College for two years 1991-1993 studying art and the development of human consciousness. I have been involved in self-study of Anthroposophy for the last 30 years.

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A handwritten signature in dark ink, reading "Karl Auffhammer", is written over a horizontal line. The signature is fluid and cursive.

**Applicant's Signature**

## Appendix A

### BACKGROUND INFORMATION SHEET

Name: Olysea Richards

Role with school: Charter Council Member

Expertise: Footwear design, product development, sales and marketing, business operations, gardening, parenting.

#### Statement of Intent:

I am committed to serving on the Mountain Sunrise Academy Charter Council in order to help create a school that will serve my community's children in innovative ways by offering a Waldorf education in a charter school setting. I am dedicated to the Rudolf Steiner ideal of individualized, experiential, and student-centered education and to the principle of choice in education. As an educator and parent, I want to be involved in advancing the quality of education in the state of Utah as detailed in the MSA Charter. I bring to this process my background in entrepreneurship and product development, and most importantly, my love of self-guided learning.

#### Not-for-Profit History:

I have experience in business operations, including profit and loss responsibilities. I have and continue to have experience crafting targeted messaging for marketing campaigns. I also oversee and coordinate early childhood instructors in a non-profit, daycare-like setting, overseeing the preparation of their materials according to a defined curriculum. I ensure that attendance records are kept and communicated to relevant parties. I look forward to utilizing my experiences by serving on the Mountain Sunrise Academy Charter Council.

#### Employment History:

I have been an entrepreneur in the footwear industry for five years. Over that time, my daily activities have included product concept creation, product design and prototyping, establishing sales channels, defining targeted marketing messaging, producing marketing collateral, executing marketing campaigns, measuring campaign results, and capturing and applying learnings to optimize the effectiveness of future campaigns. I manage relationships with suppliers throughout the development process and with third-party retailers during the sales process, tying the two together according to an

aggressive seasonal timeline. I manage the forecasting of revenues from product sales against the costs of product development and marketing programs. My goal is to disrupt the current, widespread industry use of chrome in the tanning process of leather, as it is a pollutant and can lead to the formation of hexavalent chromium, a known carcinogen. My daily efforts are focused on developing impeccably stylish products that have high demand, while avoiding harming the wellbeing of individuals, society, and the Earth.

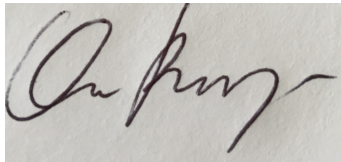
**Education History:**

College of Arts and Crafts Ufa, Russia.; A.A.; 2002

Completed coursework at the International Institute of Design in Moscow, Russia.; 2009

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**Applicant's Signature**

## APPENDIX B: ARTICLES OF INCORPORATION

Date: 06/13/2016  
Receipt Number: 6462892  
Amount Paid: \$30.00

ARTICLES OF INCORPORATION  
OF  
**Mountain Sunrise Academy, Inc.**

RECEIVED

JUN 13 2016

Utah Div. of Corp. & Comm. Code

JUN 13 16 PM 10:30

**Article I**

The name of the corporation is **Mountain Sunrise Academy, Inc.**



**Article II**

The duration of the corporation shall be perpetual unless dissolved sooner according to law.

**Article III  
Purpose**

The purpose or purposes of the corporation are Educational.

(a) To act and operate exclusively as a nonprofit corporation pursuant to the laws of the State of Utah.

(b) To engage in any and all activities and pursuits, and to support or assist such other organizations, as may be reasonably related to the foregoing and following purposes.

(c) To engage in any and all other lawful purposes, activities and pursuits, which are substantially similar to the foregoing and which are or may hereafter be authorized by Section 501(c)(3) of the Internal Revenue Code and are consistent with those powers described in the Utah Nonprofit Corporation and Cooperation Association Act, as amended and supplemented.

(d) To solicit and receive contributions, purchase, own and sell real and personal property, to make contracts, to invest corporate funds, to spend corporate funds for corporate purposes, and to engage in any activity "in furtherance of, incidental to, or connected with any of the other purposes.

The corporation shall further have unlimited power to engage in and do any lawful act concerning any and all lawful business for which corporations may be organized under the Utah Business Corporation Act and any amendments thereto.

**Article IV  
Stock**

The corporation shall not have any class of members or stock.

**Article V  
By-Laws**

Provisions for the regulation of the internal affairs of the corporation shall be set forth in the By-Laws.

**Article VI  
Initial Governing Board**

The number of directors of this Corporation shall be five (5), or more than five, as fixed from time to time by the By-Laws of the Corporation. The number of directors constituting the present Board of Directors of the Corporation is seven, and the names and addresses of the persons who are to serve as directors until their successors are elected and shall qualify are:

Chris Allen  
2425 E. Edgewood Ave.  
Mesa, AZ 85204

Emily Morris  
4513 W. 10600 N  
Highland, UT 84003

Olesya Richards  
3741 Royal Troon Dr.  
Eagle Mountain, UT 84005

Karri Auffhammer  
3917 Bobolink St  
Salt Lake City, UT 84123

Dr. Clifford Mayes  
BYU  
MCKB 306  
Provo, UT 84602

Krystelle Rose  
1915 North 800 West  
Orem, Utah 84057

Tim McGaughy  
1125 Aspen Ridge Ln  
Provo, UT 84604

**Article VII  
Incorporators and Registrant**

The following person is the initial registered agent for the corporation:

Karri Auffhammer

The address of the corporation's initial registered office shall be.

3917 Bobolink St, Salt Lake City, UT 84123

Such office may be changed at any time by the Board without amendment of these Articles of Incorporation.



**I hereby acknowledge and accept appointment as corporation registered agent:**

Signature Karel Auffhammer

The name and address of the following incorporator is:

Krystelle Rose  
1915 North 800 West  
Orem, Utah 84057

Signature Krystelle Rose

**Article VIII  
Principal Place of Business**

The principal place of business of this Corporation shall be 3917 Bobolink St. Salt Lake City UT. The business of this Corporation may be conducted in all counties of the State of Utah and in all states of the United States as the Board of Trustees shall determine.

**Article IX  
Distributions**

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these Articles of Incorporation, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, as amended or supplemented, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, as amended or supplemented.

**Article X  
Dissolutions**

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, as amended or supplemented, or shall be distributed to the federal government or to a state or local government for a public purpose. Any such assets not so disposed of shall be disposed of by the District Court of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Date: 06/20/2016  
Receipt Number: 6470715  
Amount Paid: \$17.00

JUN 20 '16 PM4:03

Mountain Sunrise Academy, Inc.  
Amendment to Articles of Incorporation

RECEIVED  
JUN 20 2016

Utah Div. of Corp. & Comm. Code



Article XI  
Debt and Financial Obligations

Neither the charter school authorizer nor the state, including an agency of the state, persons or entities that operate the charter school, are liable for the debts or financial obligations of the charter school.

Signed (Incorporator)

Krystelle Rose

Date

6/18/16

In Witness Whereof, I Krystelle Rose, have executed these Articles of Incorporation in duplicate this day of May 20, 2016 and say that I am the incorporator and have read the above foregoing articles of incorporation; know the contents thereof and that the same is true to the best of their knowledge and belief, excepting as to matters herein alleged upon information and belief and as to those matters they believe to be true.

I, the undersigned, acting as incorporator under the Utah Revised Business Corporation Act, adopt the following Articles of Incorporation for such Corporation:

**Mountain Sunrise Academy, Inc.**

Signature Krystelle Rose

Date 6-12-2016

## APPENDIX C: BYLAWS

**BY LAWS  
OF  
MOUNTAIN SUNRISE ACADEMY  
A UTAH NONPROFIT CORPORATION**

**ARTICLE I: NAME AND PURPOSE**

The name of the corporation is the Mountain Sunrise Academy (hereinafter “the Corporation”).

Purpose: The purposes of the Corporation shall be to act and operate exclusively as a nonprofit corporation pursuant to the laws of the State of Utah, and to act and operate a public charter school in the manner as determined by the Board of Directors and included here; to engage in any and all activities and pursuits, and to support or assist such other organizations, as may be reasonably related to the foregoing and following purposes; to provide programs, instruction and materials to encourage, support and facilitate student learning and development; to admit students of any race, color, national or ethnic origin to all of the rights, privileges, programs, and activities generally accorded or made available to students at the school.

The corporation shall not discriminate on the basis of race, color, religious affiliation, gender, national or ethnic origin in the administration of its policies, admissions, scholarship or loan programs, employment practices or any other school administered program.

**ARTICLE II: OFFICES**

The corporation may have such offices whether within or without the State of Utah, as the Board of Directors may determine or as the affairs of the Corporation may require from time to time.

The Corporation shall have and continuously maintain in the State of Utah a registered office, and a registered agent, as required by the Utah Revised Nonprofit Corporation Act. The registered office may be, but need not be, identical with the principal office and the address of the registered office may be change from time to time by the Board of Directors.

## ARTICLE III: BOARD OF DIRECTORS

**Section A. Powers.** The Board of Directors hereinafter called the “Charter Council” shall conduct or direct the affairs of the Corporation and exercise its powers, subject to applicable education law, not-for-profit corporation law, the Corporation’s State School Charter and these Bylaws. The Charter Council is the final decision-making body of the school. The Charter Council may delegate the management of the activities of the Corporation to others, so long as the affairs of the Corporation are managed, and its powers are exercised, under the Charter Council’s ultimate jurisdiction. Without limiting the generality of the powers hereby granted to the Charter Council, but subject to the same limitations, the Charter Council shall have all the powers enumerated in these Bylaws, and the following specific powers:

1. to elect and remove members of the Charter Council;
2. to select and remove officers, committee members, service providers and the executive director of the school; to prescribe powers and duties for them; and to fix their compensation;
3. to conduct, manage and control the affairs and activities of the Corporation, and to make rules and regulations;
4. to enter into contracts, leases and other agreements which are, in the Charter Council’s judgment, necessary or desirable in obtaining the purposes of promoting the interests of the Corporation;
5. to carry on the business of operating a charter school and apply any surplus that results from the business activity to any activity in which the Corporation may engage;
6. to act as trustee under any trust incidental to the Corporation's purposes, and to receive, hold, administer, exchange and expend funds and property subject to such a trust;
7. to acquire real or personal property, by purchase, exchange, lease, gift, devise, bequest, or otherwise, and to hold, improve, lease, sublease, mortgage, transfer in trust, encumber, convey or otherwise dispose of such property;
8. to borrow money, incur debt, and to execute and deliver promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations and other evidences of debt and securities;

9. to lend money received only from private sources and to accept conditional or unconditional promissory notes therefore, whether interest or non-interest bearing, or secured or unsecured; and

10. to indemnify and maintain insurance on behalf of any the Charter Council members, officers, employees or agents for liability asserted against or incurred by such person in such capacity or arising out of such person's status as such, subject to the provisions of the Utah Not-for-Profit Corporation Law and the limitations noted in these Bylaws.

**Section B. Charter Council Members.** The number of Charter Council members of the Corporation shall be not fewer than five. The Charter Council shall fix the exact number of members, within these limits, by board resolution or amendment of the Bylaws.

1. Additional Members. The Charter Council values and promotes collaboration with faculty, staff, and parents. To this end, the Charter Council will also consist of the Parent Council Chair, 2 parents of children in the school, and 2 community members who are professionals in fields aligned with, and/or supportive of public Waldorf elementary and secondary charter school education.

2. Ad Hoc Members. The School Administrator/Director, Faculty Chair and 1 other faculty member will serve as ad hoc members. Ad hoc members will not have voting rights.

**Section C. Appointment of Charter Council Members.**

1. Appointment. The Charter Council shall constitute itself by appointing individuals to serve, consistent with the provisions of the Articles of Incorporation and these Bylaws.

2. Term of Office. The initial Charter Council members shall be assigned to one-, two-, or three-year terms so that roughly one third of the Charter Council shall be up for reelection in any given year. Following their initial terms, Charter Council members may serve two (2) year terms.

3. Tenure. Each regular Charter Council member shall serve for a term of three years, with continuous service not to exceed two consecutive terms. The foregoing to the contrary notwithstanding, Charter Council members shall serve until their successors have been duly elected and qualified, unless they shall resign, become disqualified, disabled or shall otherwise be removed.

**Section D. Removal of a Charter Council Member.** Any officer, agent, or Charter Council member may be removed, either with or without cause, by the Charter Council. Any and all officers are employees at will and serve at the will of the Charter Council, committee or officer who appointed such officer unless such officer serves pursuant to a mutually executed written contract.

**Section E. Resignation of a Charter Council Member.** Any Charter Council member may resign by giving written notice to the Charter Council president or secretary. The resignation is effective upon receipt of such notice, or at any later date specified in the notice. The acceptance of a resignation by the Charter Council president or secretary shall not be necessary.

**Section F. Vacancies.** A vacancy is deemed to occur on the effective date of the resignation of a Charter Council member, upon the declaration of vacancy pursuant to these Bylaws, or upon a member's death. A vacancy is also deemed to exist upon the increase by the Charter Council of the authorized number of Charter Council members.

**Section G. Compensation of Charter Council Members.** Charter Council members shall serve without compensation. However, the Charter Council may approve reimbursement of actual and necessary expenses while conducting corporation business in accord with the set budget and imposed limits for such activities.

#### **ARTICLE IV: MEETINGS.**

**Section A. Place of Meetings.** Charter Council meetings, annual meetings, or special meetings shall be held at the corporation's principal office or at any other reasonably convenient place as the Charter Council may designate.



**Section B. Meetings by Telephone or Teleconference.** Charter Council members or any Committee member may participate in a meeting by means of conference telephone or similar communications equipment by which all persons participating in the meeting can hear each other at the same time. Such participation shall constitute presence in person at the meeting.

**Section C. Action Without Meeting.** Any action required by law to be taken at a meeting of the Charter Council, or any action which may be taken at a meeting of the Charter Council, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the Charter Council members.

#### **Section D. Notices.**

1. Annual Charter Council Meetings. Upon thirty (30) days' notice in writing, an annual meeting of the Charter Council shall be held during the month of August, at the time and place designated by the President, who may fix any place, either within or without the state of Utah, as the place for holding such meeting.

2. Regular or Special Meetings. Notice of any regular or special meeting of the Charter Council shall be given at least fourteen (14) days prior written notice delivered personally or sent by mail, electronic mail (e-mail), or fax to each director at his or her address shown by the records of the Corporation. If mailed, such notice shall be deemed to have been delivered when deposited in the United States mail in a sealed envelope so addressed, with postage thereon prepaid. Any Charter Council member may waive notice of any meeting. The attendance of a Charter Council member at any meeting shall constitute a waiver of notice of such meeting, except for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened. Neither the business to be transacted at, nor the purpose of any regular or special meeting of the Charter Council need be specified in the notice or waiver of such meeting.

## **ARTICLE V: ACTION BY THE CHARTER COUNCIL**

**Section A. Quorum.** A majority of the Charter Council members then serving at the time of a meeting shall constitute a quorum for the transaction of any business or of any specified item of business at any meeting of the Charter Council.

**Section B. Manner of Acting.** The act of a majority of the Charter Council present at a meeting at which a quorum is present shall be an act of the Charter Council.

### **Section C. Action by the Charter Council.**

1. **Actions Taken at Charter Council Meetings.** Except as otherwise provided by statute or by these Bylaws, the vote of a majority of the Council present at the time of the vote, shall be the act of the Charter Council. If at any meeting of the Charter Council there shall be less than a quorum present, the Charter Council members present may adjourn the meeting until a quorum is obtained.

2. **Charter Council Participation by Other Means.** In all events, a quorum of the Charter Council must be present to lawfully conduct a Charter Council meeting of the Corporation. Charter Council members may participate by means of video-conferencing or by virtue of other electronic means and may be counted toward achieving a quorum provided all directors participating in such meeting are able to hear one another and there is no objection from any Charter Council member.

### **Section C. Committees.**

1. Committees may be established at any time as deemed necessary by a majority vote of the Charter Council in order to carry out the objectives and purposes of the Corporation. Such committees shall exist for the period required to accomplish their respective objectives, but in no case for longer than specified by the Charter Council when such committees are created unless extended by the Charter Council.

2. **Standing Committees.** The Charter Council may organize one or more standing committees. The Chair of each standing committee shall be a member of the Charter Council. Not all committee members need to be Council members.

3. **Administrative Committees.** The Charter Council may authorize the School Administrator/Director to establish "administrative committees", both "standing" and "ad hoc" as may be needed to ensure the smooth running of the school.

4. Resignation and Removal. Any member of any Committee or Council may resign at any time by giving notice to the chair of the affected Committee or Council. Such resignation need not be accepted to be effective. Further, any member of any Committee or Council may be removed either with or without cause, by the Charter Council.

5. No committee member shall have or exercise the authority, or any part thereof, of the Charter Council in the management of the Corporation.

#### **Section D. Standard of Care.**

1. Performance of Duties. Each Charter Council member shall perform all duties in good faith and with that degree of diligence, care and skill, including reasonable inquiry, as an ordinary prudent person in a like position would use under similar circumstances.

2. Reliance on Others. In performing the duties of a Charter Council member, each shall be entitled to rely on information, opinions, reports or statements, including financial statements and other financial data, presented or prepared by:

- a. one or more officers or employees of the Corporation whom a Council member believes to be reliable and competent in the matters presented;
- b. legal counsel, public accountants or other persons as to matters that the director believes are within that person's professional or expert competence; or
- c. a Charter Council committee on which the Charter Council member does not serve, as to matters within its designated authority, provided the Charter Council member believes the committee merits confidence, and after reasonable inquiry when the need is indicated by the circumstances, and without knowledge that would cause such reliance to be unwarranted.

3. Investments. In investing and dealing with all assets held by the Corporation for investment, the Charter Council shall exercise the standard of care described above in paragraph D.1 and shall consider among other relevant considerations the long and short term needs of the Corporation in carrying out its purposes, including its present and anticipated financial requirements. The Charter Council may delegate its investment powers to others, provided that those powers are exercised within the ultimate direction of the Charter Council.

**Section E. Rights of Inspection.** Every Charter Council member has the right to inspect and copy all books, records and documents of every kind and to inspect the physical properties of the Corporation, provided that such inspection is conducted at a reasonable time after reasonable notice, and provided that such right of inspection and copying is subject to the obligation to maintain the confidentiality of the reviewed information, in addition to any obligations imposed by any applicable federal, state or local law.

**Section F. Participation in Discussions and Voting.** Charter Council members have the right to participate in the discussion and vote on all issues before the Charter Council or any Charter Council committee, except that any member shall be excused from the discussion and vote on any matter involving such member relating to: (a) a self-dealing transaction; (b) a conflict of interest; (c) indemnification of that director uniquely; or (d) any other matter at the discretion of a majority of the Charter Council present.

**Section G. Duty to Maintain Charter Council Confidences.** Every Charter Council member has a duty to maintain the confidentiality of all Charter Council actions, which are not required by law to be open to the public, including discussions and votes that take place at any executive sessions of the Charter Council. Any director violating this confidence may be removed from the Charter Council.

## **ARTICLE VI: OFFICERS.**

The Officers of the Corporation are president, vice president, secretary, and treasurer each who shall be appointed by the Charter Council. The Charter Council may create such other officer positions as it deems necessary. No officer may hold more than one position at the same time.

**1. Election.** For all positions other than secretary, the officers shall be elected from among the Charter Council at each annual meeting of the Charter Council members and shall serve for one year and until their successors are elected and qualified. The Charter Council may elect an individual to serve as secretary who is not a member of the Charter Council.

**2. Terms.** The president may serve no more than three consecutive one-year terms. Charter Council Officers elected to the other officer positions may serve no more than five consecutive one-year terms. Former officers, after a break in service of one year, may be elected to another term as an officer.

**3. President.** The president shall be the chief executive officer of the Corporation and shall, subject to the control of the Charter Council, have general and active supervision of the affairs, business, officers and employees of the Corporation. The President may sign, execute and acknowledge, in the name of the Corporation, deeds, mortgages, bonds, contracts, or other instruments authorized by the Charter Council, except in cases where the signing and execution there of shall be expressly delegated by the Charter Council or these Bylaws to some other officer or agent of the Corporation. The President shall, from time to time, in his or her discretion or at the order of the Charter Council, submit to the Charter Council reports of the operations and affairs of the Corporation. The president shall also perform such other duties and have such other powers as may be assigned to him or her from time to time by the Charter Council.

**4. Vice President.** The Charter Council may appoint a Vice President to act in the absence or incapacity of the President and to perform such other duties and responsibilities as may be delegated by the president. The vice president shall have full and equal vote as accorded to all members.

**5. Secretary.** The Secretary shall keep the minutes of the meetings of the Charter Council in one or more books provided for that purpose, see that all notices are duly given in accordance with the provisions of these Bylaws or as required, be custodian of the corporate records and the seal of the Corporation and, in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned by the President or by the Charter Council.

**6. Treasurer.** The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Corporation; receive and give receipts for monies due and payable to the Corporation from any source whatsoever, deposit all such monies in the name of the Corporation in such banks, trust companies, or other depositories as shall be selected in accordance with these Bylaws and in general, perform all duties incidental to the office of Treasurer and such other duties as from time to time may be assigned by the President or by the Charter Council. The treasurer shall render to the Charter Council statements evidencing the current financial condition of the Corporation.

## **ARTICLE VII: INDEMNIFICATION OF CHARTER COUNCIL MEMBERS, OFFICERS, ETC.**

### **Section A. Authority to Indemnify Charter Council Members; Third Party Actions.**

To the extent not inconsistent with Section 16-6a-901 et seq. Of the Utah Code Annotated (1953), the Corporation shall provide indemnification to trustees, directors, officers and others pursuant to this Article VI. The Corporation shall indemnify any Charter Council member, officer, employee or agent of the Corporation, or a person who was or is a party or is threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the Corporation) by reason of the fact he or she is or was an authorized representative of the Corporation (which for the purposes of this Article shall mean a Charter Council member, officer, employee or agent of the Corporation, or a person who is serving at the request of the Corporation as a Charter Council member, officer, employee or agent of the Corporation, person, partnership, joint venture, trust or other enterprise) against judgments, fines, amounts paid in settlement and reasonable expenses (including attorneys' fees) incurred by him or her in connection with such action, suit or proceeding if he or she acted in good faith and in a manner he or she reasonably believed to be in or not opposed to, the best interests of the Corporation, and with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful, except that no indemnification shall be made in connection with any proceeding charging that such person derived an improper personal benefit, whether or not involving action in an official capacity, in which such person was adjudged liable on the basis that he or she derived an improper personal benefit.

The termination of any action, suit or proceeding by judgment, order, settlement, conviction or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in, or not opposed to, the best interests of the Corporation, and with respect to any criminal action or proceeding, had reasonable cause to believe that his or her conduct was unlawful.

### **Section B. Authority to Indemnify Charter Council Members; Derivative Actions.**

The Corporation shall indemnify any Charter Council member who was or is a party or is threatened to be made a party to any threatened, pending or completed action or suit by or in the right of the Corporation to procure a judgment in its favor by reason of the fact that he or she is or was an authorized representative of the Corporation, against expenses (including attorneys' fees but not amounts paid in settlement) actually and reasonably incurred by him or her in connection with the

defense or settlement of such action or suit if he or she acted in good faith and in a manner reasonably believed to be in, or not opposed to, the best interests of the Corporation and except that no indemnification shall be made in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable to the Corporation or in connection with any other proceeding charging that such person derived an improper personal benefit, whether or not involving action in an official capacity, in which such person was adjudged liable on the basis that he or she derived an improper personal benefit.

**Section C. Employees and Agents.** To the extent that an authorized representative of the Corporation who neither was nor is a Charter Council member or officer of the Corporation has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Sections 1 and 2 of this Article or in defense of any claim, issue or matter therein, he or she shall be indemnified by the Corporation against expenses (including attorneys' fees) actually and reasonably incurred by him or her in connection therewith. Such an authorized representative may, at the discretion of the Charter Council, be indemnified by the Corporation in any other circumstances to any extent if the Corporation would be required by Sections 1 and 2 of this Article to indemnify such person in such circumstances to such extent if he or she were or had been a director or officer of the Corporation.

**Section D. Procedure for Effecting Indemnification.** Indemnification under Sections A, B, or C of this Article shall be made when ordered by a court or shall be made in a specific case upon a determination that indemnification of the authorized representative is required or proper in circumstances because he or she has met the applicable standard of conduct set forth in Sections A or B of this Article. Such determination shall be made by the Charter Council by a majority vote of a quorum consisting of Charter Council members who were not parties to such action, suit or proceeding, or any other manner allowed under the laws of the State of Utah.

If a claim under this Article is not paid in full by the Corporation within ninety (90) days after a written claim has been received by the Corporation, the claimant may at any time thereafter bring suit against the Corporation to recover the unpaid amount of the claim and if successful in whole or in part, the claimant shall be entitled to be paid also the expense of prosecuting such claim. It shall be a defense to any such action (other than an action brought to enforce a claim for expenses incurred in defending any action, suit or proceeding in advance of its final disposition where the undertaking and determinations necessary for advancing expenses have been made) that the claimant has not met the standards of conduct which make it permissible for the Corporation to indemnify the claimant for the amount claimed, but the burden of proving such defense shall be on the Corporation. Neither the failure of the Corporation (including its Charter Council



members or its independent legal counsel) that the claimant has not met such applicable standard of conduct shall be a defense to the action or create a presumption that the claimant had not met the applicable standard of conduct.

**Section E. Advancing Expenses.** Expenses (including attorneys' fees) incurred by a person that may be indemnified under the provisions of this Article, in defending a civil or criminal action, suit or proceeding, may be paid by the Corporation in advance of the final disposition of such action, suit or proceeding upon receipt of:

1. An undertaking by that person or on that person's behalf by an authorized representative to repay such amount if it shall ultimately be determined that he or she is not entitled to be indemnified by the Corporation as required in this Article or authorized by law;
2. The person furnishes to the Corporation a written affirmation of his or her good faith belief that he or she has met the standard conduct set forth in Section A and B of this Article, and;
3. A determination is made that the facts then known to those making the determination under Section D of this Article would not preclude indemnification as provided by this Article.

**Section F. Scope of Article.** Each person who shall act as an authorized representative of the Corporation, shall be deemed to be doing so in reliance upon such rights of indemnification as are provided in this Article. The indemnification and advancement of expenses provided by the Article shall not be deemed exclusive of any other rights to which those seeking indemnification or advancement of expenses may be entitled under any agreement, vote of disinterested trustees, statute or otherwise, both as to action in his or her official capacity and as to action in another capacity while holding such office or position, and shall inure to the benefit of the heirs, executors and administrators of such a person.

## **ARTICLE VIII: INSURANCE**

**Insurance Against Liability Asserted Against Charter Council Members, Officers Etc.** The Corporation, whenever so authorized by the Charter Council, may purchase and maintain insurance on behalf of any authorized representative (which, for the purposes of this Article shall mean a Charter Council member, officer employee or agent of the Corporation, or a person who is or was serving at the request of the Corporation as a Charter Council member, officer, employee or agent of another corporation, person, partnership, joint venture, trust or other enterprise) against any liability asserted against him or her and incurred by him or her in such capacity, or arising out of his or her status as



such, whether or not the Corporation would be authorized or required to indemnify him or her by law or Article VIII of these Bylaws.

## **ARTICLE IX: SELF-DEALING TRANSACTIONS**

The Corporation shall not engage in any self-dealing transactions, except as approved by the Charter Council. "Self-dealing transaction" means a transaction to which the Corporation is a party and in which one or more of the Council members has a material financial interest ("interested member(s)"). Notwithstanding this definition, the following transaction is not a self-dealing transaction, and is subject to By Laws governing financial transactions; if

A transaction which is part of a public or charitable program of the Corporation, and the transaction (a) is approved or authorized by the Charter Council in good faith and without unjustified favoritism; and (b) results in a benefit to one or more Council members or their families because they are in a class of persons intended to be benefited by the program.

## **ARTICLE X: OTHER PROVISIONS**

**Section A. Fiscal Year.** The fiscal year of the Corporation begins July 1 of each year and ends June 30.

**Section B. Execution of Instruments.** Except as otherwise provided in these Bylaws, the Charter Council may adopt a resolution authorizing any officer or agent of the Corporation to enter into any contract or execute and deliver any instrument in the name of or on behalf of the Corporation. Such authority may be general or confined to specific instances. Unless so authorized, no officer, agent or employee shall have any power to bind the Corporation by any contract or engagement, to pledge the Corporation's credit, or to render it liable monetarily for any purpose or any amount.

**Section C. Checks and Notes.** Except as otherwise specifically provided by a Charter Council resolution, checks, drafts, promissory notes, orders for the payment of money, and other evidence of indebtedness of the Corporation may be signed by the president of the Board and executive director. Such items for amounts of \$5,000.00 or greater must be signed by these individuals.

**Section D. Construction and Definitions.** Unless the context otherwise requires, the general provisions, rules of construction, and definitions contained in law and shall

govern the construction of these Bylaws. Without limiting the generality of the foregoing, words in these Bylaws shall be read as the masculine or feminine gender, and as the singular or plural, as the context requires, and the word "person" includes both a corporation and a natural person. The captions and headings in these Bylaws are for reference and convenience only and are not intended to limit or define the scope or effect of any provisions.

**Section E. Conflict of Interest.** No Charter Council member may vote upon a matter coming before that body in which he or she has a conflict of interest.

For the purpose of this provision, the term "interest" shall include financial interest, personal interest, interest as director, officer, member, stockholder, shareholder, partner, manager, trustee or beneficiary of any concern and having an immediate family member who holds such an interest in any concern. The term "concern" shall mean any corporation, association, trust, partnership, limited liability entity, firm, person or other entity other than the organization.

Immediately upon becoming aware that a conflict of interest may exist, a Charter Council member must disclose the existence of the potential conflict to the remaining Charter Council members, withdraw from further deliberation on the issue, and refrain from voting on the matter. Any such disclosure shall include all relevant and material facts known to such person about the contract or transaction shall be fully documented in the organization minutes.

Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested Charter Council members determine that it is in the best interest of the corporation to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.

The Charter Council may adopt formal policies requiring:

1. Regular annual statements from Charter Council members, officers and key employees to disclose existing and potential conflicts of interest.
2. Corrective and disciplinary actions with respect to transgressions of such policies.

## **ARTICLE XI: BOOKS AND RECORDS.**

The Corporation shall keep correct and complete books of accounts and shall also keep minutes of the proceedings of the Charter Council.

## **ARTICLE XII: WAIVER OF NOTICE.**

Whenever any notice is required to be given under the provisions of the Utah Revised Nonprofit Corporation Act or under the provisions of the Articles of Incorporation or the Bylaws of the Corporation a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

## **ARTICLE XIII: AMENDMENTS TO BYLAWS.**

These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by majority of the Charter Council present at any regular meeting or at any special meeting.